

## DEPARTMENT OF HOMELAND SECURITY

### CHARTER

#### CHEMICAL TRANSPORTATION ADVISORY COMMITTEE

PURPOSE. This Charter establishes the Chemical Transportation Advisory Committee pursuant to the Federal Advisory Committee Act (FACA), Public Law 92-463, as amended, 5 U.S.C. App. 2 (1976), and sets forth the requirements for its operation.

SCOPE AND OBJECTIVES. The Committee shall act solely in an advisory capacity. The Committee will advise, consult with, and make recommendations, including industry outreach approaches, reflecting its independent judgement to the Commandant on matters concerning the safe and secure marine transportation of hazardous materials in bulk.

DUTIES. The Committee will be responsive to specific assignments and may conduct studies, inquiries, workshops, and seminars as the Commandant may authorize or direct.

DURATION. Continuing.

OFFICIAL TO WHOM COMMITTEE REPORTS. The Committee will report to the Commandant through its Sponsor.

SPONSOR AND AGENCY PROVIDING SUPPORT. The Coast Guard's Assistant Commandant for Marine Safety, Security and Environmental Protection serves as the Sponsor for the Committee and shall designate an Executive Director. The Sponsor provides necessary services, on behalf of the United States Coast Guard, in support of the Committee.

MEMBERSHIP. The Committee shall consist of not more than twenty-six (26) members who shall be appointed by the Secretary of Homeland Security. A Committee member serves for a term of three years, or until a replacement has been appointed by the Secretary of Homeland Security. The terms of the members are staggered, with approximately one-third of the terms expiring each year. Committee members may be limited to serving no more than two consecutive three-year terms. Nonparticipation of any member in the activities of this Committee is sufficient reason for the appointment of a replacement member by the Secretary of Homeland Security. One member shall be a Federal employee recommended by the Secretary of Transportation. Members must represent one of the following areas associated with the marine transportation of hazardous materials in bulk: chemical manufacturing, vessel design and construction, occupational safety and health, marine environmental protection, or the marine transportation of chemicals. Members shall be chosen to assure a balanced representation from these groups.

To assure that the recommendations of the committee have taken into account the needs of diverse groups served by the Department, membership shall include, to the extent practicable, individuals and/or organizations to represent minorities, women and persons with disabilities.

COMMITTEE OFFICERS. The Chair and the Vice Chair are appointed by the Commandant. The Chair shall conduct the meeting in general accordance with the Robert's Rules of Order, provide an opportunity for participation by each member and by public attendees, ensure adherence to the agenda, maintain order, and prepare any recommendations submitted to the Coast Guard. In the absence of the Chair, these duties are performed by the Vice Chair.

SUBCOMMITTEES. The Committee Chair may establish subcommittees to perform specific assignments with the approval of the Sponsor. The Chair may designate members from either the Committee or the public to serve on subcommittees. The subcommittee Chair shall be a Committee member. The subcommittee must comply with all regulations applicable to the Committee.

MEETINGS. Meetings are held at the call of or with the advance approval of the Executive Director. The Committee meets at least once each year. Additional meetings may be called as necessary. Notice of each meeting is published in the Federal Register. All meetings are to be open to the public. However, meetings or portions of meetings may be closed in accordance with the provisions of FACA. Members of the public are invited to appear before or file statements with the Committee. The Executive Director or a designated Coast Guard representative must be present at each Committee meeting. This official has the authority and duty to adjourn the meeting whenever such action is deemed to be in the public interest. A quorum exists when at least one half of the appointed members are present. A quorum must exist for any official action, including any voting, to occur. In any situation involving voting, the majority vote of members present shall prevail.

Meetings between members of the Committee or a subcommittee convened solely to gather information, conduct research, or analyze relevant issues and facts for the Committee or subcommittee or to draft proposed position papers for deliberation by the Committee or subcommittee are not covered by the requirements of FACA and may only be videotaped or recorded by the Sponsor, Executive Director, or their designee.

REPORTS. The Executive Director furnishes detailed minutes of each meeting to the Sponsor. The minutes contain a record of the persons present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, directed, issued or approved by the Committee. The Chair and Executive Director certify to the accuracy of the minutes. At the end of each fiscal year, the Executive Director prepares a report summarizing all activities, including any pertinent background material. This report is furnished to the Sponsor and filed with the Library of Congress. This report is made available through the Internet website: <http://www.fido.gov/facadatabase/default.asp>.

COSTS. Operating costs are borne by the Committee Sponsor. The annual cost is approximately \$10,000 plus nine-tenths person-year of support. All members, except for the Federal member, serve without compensation (neither travel nor per diem) from the Federal Government.

AVAILABILITY OF RECORDS. Subject to Section 552 of Title 5, U.S.C., the records, reports, minutes, agenda, and other documents made available to the Committee are available for public inspection and duplication in the Office of Operating and Environmental Standards, Commandant, U.S. Coast Guard, Room 1210, 2100 Second Street S.W., Washington, DC 20593-0001.

FILING DATE. July 1, 2003, is the effective date of this Charter, which will expire in two years from this filing date unless sooner terminated or extended.